

Remarks

Reconsideration of this Application is respectfully requested.

Upon entry of the foregoing amendment, claims 1-28 are pending in the application, with claims 1, 14, 21, 27, and 28 being the independent claims. Claims 1, 2, 11, 12, 14, 18-24, and 26-28 are sought to be amended for clarity. Support for the amendments is found at least at, for example, paragraphs [0009] [0010], [0017] - [0019], [0034], [0036], [0054], [0081], and [0093] of the instant specification. These amendments should be entered after final because they merely clarify implicit features, do not require further search or consideration by the Examiner, and they place the claims in better condition for allowance and/or reduce the issues for appeal.

Based on the above amendment and the following remarks, Applicants respectfully request that the Examiner reconsider all outstanding rejections and that they be withdrawn.

Rejection under 35 U.S.C. § 102

The Examiner rejected claims 1-9, 11, 13-18 and 27 under 35 U.S.C. § 102(e) as allegedly being anticipated by U.S. Patent No. 6,584,466 to Serbinis *et al.* ("Serbinis").

With regard to the Examiner's response on pages 2-5 of the Office Action to Applicants' previously-submitted arguments and the statements on pages 6-11 of the Office Action in which the Examiner continues to characterize Serbinis as disclosing all of the features recited in claims 1-9, 11, 13-18 and 27, Applicants disagree and traverse for the reasons stated below.

Applicants respectfully remind the Examiner that anticipation under 35 U.S.C. § 102 requires showing the presence in a single prior art reference disclosure of **each and every element of the claimed invention, arranged as in the claim**. See *Lindemann Maschinenfabrik GMBH v. American Hoist & Derrick*, 221 U.S.P.Q. 481, 485 (Fed. Cir. 1984). Applicants submit that Serbinis does not disclose at least the distinguishing features of claims 1-9, 11, 13-18, and 27.

Claim 1 recites features that distinguish over Serbinis. For example, claim 1 as amended herein recites, among other features:

a policy system configured to enable the processor to store at least one process-driven security policy on a computer readable storage medium, wherein the process-driven security policy includes a **plurality of different states** and transition rules, and wherein each of the states is associated with one or more access restrictions, **and wherein each of the states has distinct access restrictions**, and wherein the transition rules specify circumstances under which a secured document is to transition from one state to another; and

an access manager configured to enable the processor to access the process-driven security policy and determine whether access to a secured document is permitted by a requestor based on the policy state associated therewith at the time access is requested and the corresponding one or more access restrictions thereof for the process-driven security policy

(emphasis added).

Serbinis does not describe each and every element as set forth in claim 1. Serbinis fails to teach or suggest at least one process-driven security policy, wherein the process-driven security policy includes a plurality of different states and transition rules, and wherein each of the states is associated with one or more access restrictions, and wherein each of the states has distinct access restrictions, as recited in claim 1. Serbinis discusses how “[s]tates for a document instance include "pending," "active," "archived," "canceled" and "deleted"” (Serbinis, col. 7, ln. 67 - col. 8, ln. 1). However, Serbinis

Reply to Office Action of April 28, 2009

describes that “[d]ocument instances are marked "canceled" when an Authorized User (typically the Originator) forces a document to expire before the expiration time” and that “[c]anceled document instances then *are treated like archived document instances*” (Serbinis, col. 8, lns. 26-31) (emphasis added). Even assuming *arguendo* that Serbinis' document instance states are analogous to the process-driven security policy states recited in claim 1, each of Serbinis' document instance states clearly do not have distinct access restrictions, as recited in claim 1. As recited in claim 1, "the process-driven security policy includes a plurality of different states and transition rules", "each of the states is associated with one or more access restrictions", "each of the states has distinct access restrictions", and "the transition rules specify circumstances under which a secured document is to transition from one state to another". In contrast, in Serbinis' system, at least two of the document instance states (e.g., "canceled" and "archived") are treated identically (Serbinis, col. 8, lns. 26-31). Therefore, the canceled and archived document instance states in Serbinis are not different states wherein each of the states has distinct access restrictions, as recited in claim 1. Thus, Serbinis fails to disclose, teach or suggest at least one process-driven security policy on a computer readable storage medium, wherein the process-driven security policy includes a plurality of different states and transition rules, and wherein each of the states is associated with one or more access restrictions, and wherein each of the states has distinct access restrictions, as recited in claim 1.

Moreover, although Serbinis describes that “[d]ocument instances with a "pending" state have an active date/time that specifies the time at which the state of the document instance should be changed to "active"” (Serbinis, col. 8, lns. 5-8), Applicants

submit that triggering a change from a pending state to an active state based solely on time is not analogous to transition rules that specify circumstances under which a secured document is to transition from one state to another, as recited in claim 1. A non-limiting example of transition rules is provided in the instant specification at, for example paragraph [0049], where it is disclosed that in an embodiment, a "file can transition between the various states of the process-driven security policy 100 in a controlled manner", "[o]ften, the process-driven security policy 100 defines the transitions that are permissible", "the state transitions are event-driven", and "some events can be triggered or initiated by user or administrator interaction. In contrast to what is recited in claim 1, Serbinis' document management service (DMS) "automatically modifies the state of a document instance based on its current state, the active date/time, and expiration date/time" (Serbinis, col. 7, lns. 63-65). In Serbinis' DMS system, a document instance transitions based only when "expiry date" is reached, "when the expiration time is reached", "after a pre-determined amount of time", or "when an Authorized User (typically the Originator) forces a document to expire before the expiration time" (Serbinis, col. 7, lns. 32-37, col. 8, lns. 12-29). Thus, Serbinis is limited to automatic modification of a state of a document instance based on the document instance's state, active date/time, and expiration date/time. Serbinis does not teach or suggest a process-driven security policy including a plurality of different states and transition rules, wherein the transition rules specify circumstances under which a secured document is to transition from one state to another, as recited in claim 1. In contrast, in Serbinis' system, secured documents do not transition from one state to another as a result of a process-driven security policy; rather "[t]he state of these documents is changed to

"deleted" ***after a pre-determined amount of time***" (Serbinis, col. 8, lns. 18-20)

(emphasis added). Therefore, Serbinis fails to teach or suggest wherein the transition rules specify circumstances under which a secured document is to transition from one state to another, as recited in claim 1.

Further, Serbinis fails to disclose an access manager configured to enable a processor to access a process-driven security policy and determine whether access to a secured document is permitted by a requestor based on the policy state associated therewith at the time access is requested and the corresponding one or more access restrictions thereof for the process-driven security policy, as recited in claim 1. The Examiner asserts that the above-recited access manager features recited in claim 1 are disclosed by Serbinis in passages in columns 8-10 (See Office Action, pages 6 and 7). Applicants respectfully disagree with the Examiner's contention. Although Serbinis may describe that an "Authorized User may then request retrieval of the document" from a data store "and any automatic filtering, or filtering selected by the Authorized User, may be performed during the document download process" before "[t]he document is then downloaded to the Authorized User" (Serbinis, col. 9, ln. 66-col. 10, ln. 4), Serbinis fails to teach or suggest the above-noted features of the access manager recited in claim 1.

Therefore, for at least these reasons, the applied reference does not anticipate claim 1. Dependent claims 2-13, which depend upon independent claim 1, are allowable for at least being dependent from allowable independent claim 1, in addition to their own respective distinguishing features. See *In Re Fine*, 837 F.2d 1071 (Fed. Cir. 1988) and M.P.E.P. § 2143.03.

Independent claims 14 and 27 recite features that distinguish over the applied reference. For example, claim 14 as amended herein recites a method for transitioning at least one secured document through a security-policy state machine having a plurality of different states, each of the plurality of states having distinct access restrictions, the method comprising:

receiving an event;
determining whether the event causes a state transition for the at least one secured document from a former state to a subsequent state of the security-policy state machine; and
automatically transitioning from the former state to the subsequent state of the security-policy state machine if the determining determines that the event causes the state transition.

Claim 27 as amended herein recites, *inter alia*:

detecting an occurrence of an event;
determining whether the event causes a state transition for at least one secured document from a former state to a subsequent state of a security-policy state machine having a ***plurality of different states, each of the plurality of states having distinct access restrictions***; and
automatically transitioning from the former state to the subsequent state of the security-policy state machine upon determining that the event causes the state transition

(emphasis added).

Claims 14 and 27 recite a method and a computer readable storage medium, respectively, with distinguishing features similar to claim 1, and thus are patentable over Serbinis for similar reasons as discussed above with regards to claim 1. For example, as discussed above with regards to claim 1, Serbinis does not teach or suggest a security-policy state machine having a plurality of different states, each of the plurality of states having distinct access restrictions, as recited in claim 14. Serbinis also fails to disclose,

teach or suggest, a security-policy state machine having a plurality of different states, each of the plurality of states having distinct access restrictions, as recited in claim 27.

Moreover, while Serbinis may generally describe “a document state process that automatically modifies the state of a document instance based on its current state, the active date/time, and expiration date/time” (Serbinis, col. 7, lns. 63-67), Serbinis does not teach or suggest automatically transitioning from the former state to the subsequent state of the security-policy state machine upon determining that an event causes the state transition, as recited in claims 14 and 27. In Serbinis' DMS system, a document instance transitions based upon an “expiry date” (Serbinis, col. 7, lns. 32-37). Document instance states in Serbinis only transition “when the expiration time is reached”, “after a pre-determined amount of time”, or “when an Authorized User (typically the Originator) forces a document to expire before the expiration time” (Serbinis, col. 8, lns. 12-29). In contrast, claims 14 and 27 recite, using respective language, automatically transitioning a secured document from a former state to a subsequent state of the security-policy state machine upon determining that a detected event causes the state transition. In contrast to the above-noted distinguishing features of claims 14 and 27, Serbinis' DMS system modifies the state of a document instance based only on the document's current state, the active date/time, and expiration date/time (the expiry date) (Serbinis, col. 7, lns. 32-37 and 63-67).

Therefore, for at least these reasons, the applied reference does not anticipate claims 14 and 27. Also, at least based on their respective dependencies to claim 14, claims 15-20 should be found allowable, as well as for their additional respective distinguishing features. Accordingly, Applicants respectfully request that the Examiner

reconsider and withdraw the rejections of these claims, and find them allowable over the applied reference.

Rejections under 35 U.S.C. § 103

Claim 10 was rejected under 35 U.S.C. §103(a) as being allegedly unpatentable over Serbinis in view of U.S. Patent Publication No. 2004/0193912 to Li *et al.* ("Li").

Claims 12, 19 and 20 were rejected under 35 U.S.C. §103(a) as being allegedly unpatentable over Serbinis in view of U.S. Patent No. 6,341,164 to Dilkie *et al.* ("Dilkie").

Claims 21-26 and 28 were rejected under 35 U.S.C. §103(a) as being allegedly unpatentable over Serbinis in view of U.S. Patent Publication No. 2005/0028006 to Leser *et al.* ("Leser"). Applicants respectfully traverse these rejections for the reasons stated below.

Claims 10, 12, 19, and 20 depend upon claim 1. As discussed above, claim 1 is allowable over Serbinis. Thus, claims 10, 12, 19, and 20 are allowable for at least being dependent from allowable independent claim 1, in addition to their own respective distinguishing features. See *In Re Fine*, 837 F.2d 1071 (Fed. Cir. 1988) and M.P.E.P. § 2143.03.

Regarding the Examiner's statements on page 16 of the Office Action, in which the Examiner asserts that the allegedly obvious combination of Serbinis and Leser discloses the method and computer readable medium recited in claims 21 and 28, respectively, Applicants disagree and traverse for the reasons stated below.

Independent claim 21 recites, *inter alia*:

Reply to Office Action of April 28, 2009

providing at least one process-driven security policy at a server computer, wherein the process-driven security policy is associated with a ***plurality of different states***, and ***wherein each of the states has distinct access restrictions***;
providing a reference to the process-driven security policy to at a client computer, the reference referring to the process-driven security policy resident on the server computer and associating the reference to an electronic document

(emphasis added).

Claim 28 as amended herein recites, among other features:

providing at least one process-driven security policy at a server machine, wherein the process-driven security policy has a plurality of different states associated therewith, and wherein each of the states has distinct access restrictions; and
providing a reference to the process-driven security policy at a client machine, wherein the reference refers to the process-driven security policy resident on the server machine; and
associating the reference to an electronic document.

Claims 21 and 28 recite a method and a computer readable storage medium, respectively, with distinguishing features similar to claim 1, and thus are patentable over Serbinis for similar reasons as discussed above with regards to claim 1. As discussed above with regards to claim 1, Serbinis does not teach or suggest a process-driven security policy is associated with a plurality of different states, and wherein each of the states has distinct access restrictions, as recited in claim 21. Similarly, Serbinis also fails to teach or suggest a process-driven security policy, wherein the process-driven security policy has a plurality of different states associated therewith, and wherein each of the states has distinct access restrictions, as recited in claim 28.

Further, the Examiner acknowledges that Serbinis does not disclose providing a reference to the process-driven security policy at a client machine, wherein the reference

Reply to Office Action of April 28, 2009

refers to the process-driven security policy resident on the server machine and associating the reference to an electronic document as recited, using respective language, in claims 21 and 28 (Office Action, page 17).

Rather, the Examiner relies on Leser to teach or suggest these features. Leser does not cure these deficiencies of Serbinis with regards to claims 21 and 28.

The Examiner asserts, to which Applicants do not acquiesce to, that Leser discloses the above-noted features of claims 21 and 28 and that it would have been obvious to “cache [the] security-policy of the system of Serbinis into the user's computers thereby enabling them to generate and or use protected document[s] while they are offline” (Office Action, page 17). However, Leser is not stated by the Examiner to teach, nor does it teach or suggest, providing at least one process-driven security policy at a server machine or computer, wherein the process-driven security policy is associated with a ***plurality of different states***, and ***wherein each of the states has distinct access restrictions***, as recited, using respective language, in claims 21 and 28. Therefore, Leser cannot cure the deficiencies of Serbinis, and cannot be used to establish a *prima facie* case of obviousness with regards to claims 21 and 28.

Thus, the allegedly obvious combination of Serbinis and Leser fails to teach or suggest at least a process-driven security policy, wherein the process-driven security policy is associated with a plurality of different states, and wherein each of the states has distinct access restrictions, as recited in claims 21 and 28.

Also, claims 22-26, which depend from independent claim 21, are allowable for at least being dependent from allowable claim 21, in addition to their own respective distinguishing features.

Reply to Office Action of April 28, 2009

VAINSTEIN *et al.*
Appl. No. 10/676,474

Accordingly, Applicants respectfully request that the Examiner reconsider and withdraw rejection of these claims, and find them allowable over the applied references.

Conclusion

All of the stated grounds of objection and rejection have been properly traversed, accommodated, or rendered moot. Applicants therefore respectfully request that the Examiner reconsider all presently outstanding rejections and that they be withdrawn. Applicants believe that a full and complete reply has been made to the outstanding Office Action and, as such, the present application is in condition for allowance. If the Examiner believes, for any reason, that personal communication will expedite prosecution of this application, the Examiner is invited to telephone the undersigned at the number provided.

Prompt and favorable consideration of this Amendment and Reply is respectfully requested.

Respectfully submitted,

STERNE, KESSLER, GOLDSTEIN & FOX P.L.L.C.



Glenn J. Perry
Attorney for Applicants
Registration No. 28,458

Date: June 29, 2009

1100 New York Avenue, N.W.
Washington, D.C. 20005-3934
(202) 371-2600

972711_1.DOC

Atty. Dkt. No. 2222.5450000